

MARGARET S. BOLLER, widow : NO. 19,716 EQUITY
and others : IN THE CIRCUIT COURT FOR
v. :
CARL A. BOLLER, JR., and : FREDERICK COUNTY,
his wife & others : MARYLAND.

- - - - -
Hearing before the Honorable Robert E.
Clapp, Jr., in court chambers on June 24,
1965, and testimony having been taken and
transcribed by James M. Green, Court Re-
porter.

- - - - -
Richard R. Burgee, Esq.
Attorney for Plaintiffs

Edwin F. Nikirk, Esq.
Attorney for Defendants

- - - - -

Court: This is the case of Margaret S. Boller, widow, et al,
v. Carl A. Boller, Jr., 19,716 Eq.. There is a bill of
sale receipt in lieu of the petition. All individuals
have answered except Delbert Ward by order of publicat-
ion and decree pro confesso which will be executed today.
Mr. Nikirk, you wish to make a statement for the record
in connection to your answer of the bill of complaint,
the second paragraph of that answer.

Nikirk: Yes, sir. The third paragraph of the bill of complaint
states: "That the buildings and improvements located on
the real estate hereinbefore described are constantly
depreciating in value and the several parcels of real es-
tate cannot be divided in kind". In the original
answer to the bill of complaint, the respondents, Carl A.
Boller, Jr. and Virginia Boller, Elizabeth Hahn and Charles
Han, and Pauline Ward and Delbert Ward denied allegations.
After the third paragraph state for the record on behalf
of the respondents all respondents represented by me deny
that the property is depreciating now and the sale under the